

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CLERK OF COURT  
U.S. DISTRICT COURT, E.D.N.Y.  
★ FEB 2 2006 ★

BROOKLYN OFFICE

ORDER  
04-CV-2386 (JFB)(MLO)

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AHMED A. ELASHMOUNY,

Plaintiff,

– against –

MARTHA D. JONES, STANLEY  
SCHARF, DANIAL R. ARMSTRONG,  
JR., LARRY BELMONT, AVEMCO  
INSURANCE COMPANY, and  
UNIVERSAL LOSS MANAGEMENT,  
INC.,

Defendants.  
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JOSEPH F. BIANCO, District Judge:

On February 16, 2006, the above-captioned matter was re-assigned to the undersigned for all purposes from the Honorable Joanna Seybert.

Judge Seybert issued a Memorandum and Order dated July 20, 2004, dismissing this action without prejudice and granting the plaintiff leave to file an Amended Complaint.<sup>1</sup> In that Order, the Court found that there was no basis for subject matter jurisdiction. Plaintiff timely filed an Amended Complaint on September 7, 2004.

In the Amended Complaint, plaintiff states that he “adhere[s] to his [o]riginal [e]xhibit(s) filed along with his [or]iginal filing of the above-entitled [c]ivil [a]ction.”

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<sup>1</sup> Familiarity with the Memorandum and Order is presumed.

Although the plaintiff adds some new facts, the Amended Complaint is very similar to his original complaint and does not cure any of the defects identified in the original Memorandum and Order. Accordingly, for the reasons set forth in Judge Seybert's Memorandum and Order, the Amended Complaint is hereby dismissed, with prejudice.

The Clerk of the Court is directed to close this case.

SO ORDERED.

/s/(JFB)

JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE

Dated: March 20, 2006  
Brooklyn, New York